

SOUTH CAROLINA PUBLIC SERVICE COMMISSION

STANDING HEARING OFFICER DIRECTIVE

DOCKET NO. 2009-397-T

JANUARY 7, 2014

Standing Hearing Officer: David Butler

DOCKET DESCRIPTION:

Application of Johnson's Moving & Storage, LLC (f/k/a Richard Johnson d/b/a Johnson's Moving) for a Class E (Household Goods) Certificate of Public Convenience and Necessity for Operation of Motor Vehicle Carrier

MATTER UNDER CONSIDERATION:

Motion to be allowed to take shipper witness deposition and use it in lieu of testimony at Commission hearing on the merits

STANDING HEARING OFFICER'S ACTION:

Motion granted. Taking the deposition of shipper witnesses and using the deposition in lieu of live testimony at a hearing on the merits in a Class E Household Goods case has been a common and useful practice in such hearings before the Commission. A deposition saves time and the expense of presenting a live shipper witness, such shipper witness being required in Class E Household Goods cases under 10 S.C. Code Ann. Regs. Section 103-133.1 to show the public convenience and necessity criterion of proof. In this case, the request to take the deposition is certainly meritorious under 10 S.C. Code Ann. Regs. 103-834, and therefore the request to take the deposition and the full motion to use it in lieu of live testimony at the hearing are granted. Said deposition of an appropriate shipper witness shall be taken by oral examination at such time and place and/or by such method as may be agreed upon by the parties. Such witness shall testify regarding the public convenience and necessity criterion, and any other matter related to the case at bar as may be deemed appropriate by agreement of the parties.